UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/1997/49
16 April 1997

ORIGINAL: ENGLISH

Substantive session of 1997
Geneva, 30 June-25 July 1997
Item 3 (c) of the provisional agenda*

OPERATIONAL ACTIVITIES OF THE UNITED NATIONS FOR INTERNATIONAL DEVELOPMENT COOPERATION: REPORTS OF THE EXECUTIVE BOARDS OF THE UNITED NATIONS DEVELOPMENT PROGRAMME/UNITED NATIONS POPULATION FUND, THE UNITED NATIONS CHILDREN'S FUND AND THE WORLD FOOD PROGRAMME

Report of the Executive Board of the World Food Programme on the revision of the General Regulations of the World Food Programme

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Economic and Social Council for its consideration the attached report of the Executive Board of the World Food Programme on the revision of the General Regulations of the Programme. The same report is also being made available to the Council of the Food and Agriculture Organization of the United Nations.

* E/1997/100.

97-10355 (E) 010597 070597

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برنامج الأغذية العالمي
Programme Alimentaire Mondial
World Food Programme
Programa Mundial de Alimentos

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Distribution: GENERAL

11 April 1997
ORIGINAL: ENGLISH

REPORT OF THE EXECUTIVE BOARD OF THE WORLD FOOD PROGRAMME TO THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS AND THE COUNCIL OF FAO ON THE REVISION OF THE GENERAL REGULATIONS OF THE WORLD FOOD PROGRAMME

This document is produced in a limited number of copies. Delegates and observers are kindly requested to bring it to the meetings and to refrain from asking for additional copies.

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REPORT OF THE EXECUTIVE BOARD TO THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL AND THE COUNCIL OF THE FAO ON THE REVISION OF THE GENERAL REGULATIONS OF THE WORLD FOOD PROGRAMME

1. At its First Regular Session of 1996, the Executive Board of the World Food Programme (WFP) decided that an open-ended working group should be formed to review, *inter alia,* the General Regulations of WFP. The task of the Open-ended Working Group was to present proposals to the Board aimed at:

   a) bringing the General Regulations into line with the most recent relevant decisions of the United Nations and the FAO, in particular the General Assembly resolutions on the restructuring and revitalization of the United Nations in economic, social and related fields;

   b) removing from the current General Regulations clearly outdated or superseded provisions; and

   c) updating the General Regulations to reflect the decisions of the Board and the responsibilities and functions which WFP is called upon to discharge.

   The Group held five sessions between November 1996 and March 1997, and subsequently presented its proposals to the Board.

2. In its report to the Board, the Working Group noted that it had to be borne in mind that de present legislative process was extremely cumbersome and time-consuming: when it wished to update and streamline any one or more of the General Regulations, WFP was required to refer every case to the United Nations Economic and Social Council, the FAO Council and, through these two bodies, the United Nations General Assembly and the FAO Conference. This process could take two years or more. While recognising that the United Nations and FAO should have the final responsibility in all matters relating to the basic "constitution" of WFP and its role in the United Nations system, it should be possible to distinguish these matters in the General Regulations from points of detail and operational issues which had accumulated over the years. The basic "constitution" of WFP and its role in the United Nations system could be set forth in the General Regulations and be amended following current procedures, i.e., through the United Nations Economic and Social Council and the FAO Council, by the General Assembly and the FAO Conference. Other matters could be contained in rules which would be promulgated under and consistent with the General Regulations, with the Executive Board having the authority to adopt and amend these rules. This would enable WFP to keep abreast of developments, particularly in operational matters and on points of detail, in the most expeditious way through the enactment of up-to-day rules when so required. This way of proceeding was therefore adopted by the Working Group and was reflected in its proposals to the Board for the revision of the current General Regulations.

3. The Board considered the report and proposals of the Working Group at its Second Regular Session of 1997, held from 24 to 26 March 1997. The Board approved the principle followed by the Working Group to divide the revised Regulations into General Regulations and General Rules, to be approved and amended as indicated in paragraph 2 above. After taking a decision on various issues referred to it by the Working Group, the Board decided by consensus to request the United Nations Economic and Social Council and the FAO Council to endorse and recommend for adoption to the General Assembly and the FAO Conference the proposed General Regulations contained in the Annex to this report.

4. The Annex is organized as follows:

- the left-had column sets out the suggested text for proposed General Regulations that are considered to be of a "constitutional" character;
- the right-hand column contains the proposed text of General Rules that cover operational and other details pertinent to the Regulation opposite which they appear. The number of the General Rule corresponds to the Article number in the General Regulations on which the rule depends.

5. While the proposed General Regulations are being submitted for consideration and approval, the General Rules are being put forward for information purposes to the United Nations Economic and Social Council, the FAO Council, the General Assembly, and the FAO Conference. This is desiderable, as the General Rules contain operational provisions and points of detail found in the current General Regulations. The General Rules were approved provisionally by the Board subject to the formal approval of the proposed General Regulations by both the General Assembly and the FAO Conference. The General Rules will be applied from that date and confirmed by the Board at its first session thereafter.

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ANNEX

PROPOSED GENERAL REGULATIONS AND RULES

Proposed General Regulations	Proposed General Rules
ARTICLE I: ESTABLISHMENT **The World Food Programme (hereinafter "WFP") is jointly established by the United Nations and the Food and Agriculture Organization of the United Nations (hereinafter "FAO") as a programme for the purposes and for the performance of the functions set out in the present General Regulations and shall continue its activities in the light of periodic reviews.**	
ARTICLE II: THE PURPOSES AND FUNCTIONS OF WFP **1. The purposes of WFP are:** ***(a)*** **to use food aid to support economic and social development;** ***(b)*** **to meet refugee and other emergency and protracted relief food needs;** ***(c)*** **to promote world food security in accordance with the recommendations of the United Nations and FAO.** **2. In order to achieve the foregoing purposes, WFP shall, on request, implement food aid programmes, projects and activities:** ***(a)*** **to aid in economic and social development, concentrating its efforts and resources on the neediest people and countries;** ***(b)*** **to assist in the continuum from emergency relief to development by giving priority to supporting disaster prevention, preparedness and mitigation and post-disaster rehabilitation activities;** ***(c)*** **to assist in meeting refugee and other emergency and protracted relief food needs, using this assistance to the extent possible to serve both relief and development purposes;** ***(d)*** **to provide services to bilateral donors, United Nations agencies and non-governmental organizations for operations which are consistent with the purposes of WFP and which complement WFP's operations.**	**General Rule II.1: Mission Statement of WFP** The purposes and functions of WFP shall be complemented and amplified in a Mission Statement. The Executive Board shall periodically review and update, as appropriate, the Mission Statement of WFP. **General Rule II.2: Programme categories** In order to carry out the purposes of WFP, the Board establishes the following programme categories: *(a)* Development Programme Category, for food aid programmes and projects to support economic and social development. This programme category includes rehabilitation and disaster preparedness projects and technical assistance to help developing countries establish or improve their own food assistance programmes; *(b)* Emergency Relief Programme Category, for food assistance to meet emergency needs; *(c)* Protracted Relief Programme Category, for food assistance to meet protracted relief needs; and *(d)* Special Operations Programme Category, for activities to rehabilitate and enhance transport infrastructure, if necessary and in extraordinary circumstances, to permit speedy and efficient delivery of food assistance to meet emergency and protracted relief needs.

Proposed General Regulations	Proposed General Rules
ARTICLE III: COOPERATION OF WFP WITH THE UNITED NATIONS AND FAO AND WITH OTHER RELEVANT AGENCIES AND ORGANIZATIONS **In all stages of its activities, WFP shall, as appropriate, consult with and seek advice and cooperation from the United Nations and FAO. It shall also coordinate and operate in close liaison with appropriate United Nations agencies and operating programmes, bilateral assistance programmes, and other relevant organizations, as required.**	**General Rule III.1: Modalities of cooperation of WFP with the United Nations and FAO and with other agencies and organizations** *(a)* WFP shall ensure active operational and technical cooperation with the United Nations and FAO, United Nations agencies and operating programmes, bilateral assistance programmes, and other relevant organizations at all stages of programme and project preparation, implementation and evaluation. The Executive Director shall give special attention to developing these and other means of cooperation with these agencies, programmes and organizations, and shall report to the Board from time to time on the results. *(b)* WFP shall, whenever possible, associate its assistance with material, financial and technical assistance provided through other multilateral programmes and shall seek similar coordination with bilateral programmes and non-governmental operational partners. *(c)* WFP shall, wherever possible, collaborate and cooperate, as appropriate, with non-governmental organizations.
ARTICLE IV: HEADQUARTERS **The Headquarters of WFP shall be in Rome, Italy.**	
ARTICLE V: ORGANIZATION: ORGANS **The organs of WFP shall be:** ***(a)*** **The Executive Board (hereinafter "the Board") jointly established by the United Nations and FAO and composed of thirty-six (36) States Members of the United Nations or Member Nations of FAO to be elected by the Economic and Social Council of the United Nations and the Council of FAO from among the States listed in Appendix A in accordance with the distribution of seats set out in Appendix B.** ***(b)*** **A Secretariat comprising an Executive Director and such staff as WFP may require.**	

Proposed General Regulations	Proposed General Rules
ARTICLE VI: POWERS AND FUNCTIONS OF THE BOARD 1. The Board shall, within the framework of these General Regulations, be responsible for providing intergovernmental support and specific policy direction to and supervision of the activities of WFP in accordance with the overall policy guidance of the General Assembly of the United Nations, the FAO Conference, the Economic and Social Council and the Council of FAO, and for ensuring that WFP is responsive to the needs and priorities of recipient countries. The Board will be subject to the general authority of the Economic and Social Council and the Council of FAO. 2. The functions of the Board shall be the following: *(a)* The Board shall help evolve and coordinate short-term and longer-term food aid policies. It shall, in particular: *(i)* ensure implementation of the policies formulated by the General Assembly and the FAO Conference and the coordination measures and guidance received from the Economic and Social Council and the Council of FAO; *(ii)* provide a forum for intergovernmental consultation on national and international food aid programmes and policies; *(iii)* review periodically general trends in food aid requirements and food aid availabilities, and the implementation of recommendations made on food aid policies; *(iv)* formulate proposals for improvements in and more effective coordination of multilateral, bilateral and non-governmental food aid policies and programmes, including emergency food aid; and *(v)* recommend new policy initiatives to the Economic and Social Council and the Council of FAO and, through them, respectively, to the General Assembly and FAO Conference as necessary; *(b)* The Board shall be responsible for the intergovernmental supervision and direction of the management of WFP. It shall, in particular: *(i)* receive information from and give direction and guidance to the Executive Director; *(ii)* ensure that the activities and operational strategies of WFP are consistent with the overall policy guidance set forth by the General Assembly and the FAO Conference, as well as the Economic and Social Council and the Council of FAO;	

Proposed General Regulations	Proposed General Rules
(iii) monitor the performance of WFP, and review the administration and execution of the activities of WFP;	
(iv) decide on strategic and financial plans and budgets;	**General Rule VI.1: Strategic and Financial Plan** The Executive Director shall submit to the Annual Session of the Board, in the second year of each financial period, a Strategic and Financial Plan that will cover a four-year period, be prepared every two years on a rolling basis and will highlight the main features of the proposed programme of work for the ensuing financial period.
(v) encourage and examine new programme initiatives;	
(vi) adopt and, as necessary, revise the general rules required to give effect to these General Regulations. The general rules and any amendments thereto shall be reported to the Economic and Social Council and to the Council of FAO; and	
(vii) adopt and, as necessary, revise the Financial Regulations in accordance with Article XIV of these General Regulations.	
(viii) consider the biennial report on inspections and investigations, and take such action thereon as it considers appropriate	
(c) The Board shall review, modify as necessary, and approve programmes, projects and activities submitted to it by the Executive Director. In respect of such approvals, however, it may delegate to the Executive Director such authority as it may specify. It shall review, modify as necessary, and approve the budgets of programmes, projects and activities, and review the administration and execution of approved programmes, projects and activities of WFP.	**General Rule VI.2: Delegation of authority** The authority delegated to the Executive Director by the Board is listed in the Appendix to these General Rules.
(d) The Board shall carry out such other responsibilities as are conferred upon it in these General Regulations.	
3. The Board shall provide a concise report annually on WFP's programmes, projects and activities including major decisions of the Board to the substantive session of the Economic and Social Council and the Council of FAO. The annual report must contain sections referring to one or all of the following, as appropriate:	
(a) monitoring of the implementation of all previous policy decisions referred to in paragraph 2 (a) (i) of this Article;	
(b) policy recommendations;	
(c) coordination recommendations including for improvement of field-level coordination; and	

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Proposed General Regulations	Proposed General Rules
(d) such other matters as may be required pursuant to decisions of the Economic and Social Council and the Council of FAO. 4. The Board shall adopt its own Rules of Procedure. The Rules of Procedure shall: *(a)* with respect to the approval of programmes, projects and other activities, make provision for such approval being obtained by correspondence between sessions of the Board; *(b)* make provision for inviting Members of the United Nations or Members or Associate Members of FAO that are not members of the Board to participate without the right to vote in the deliberations of the Board. Any Member of the United Nations or FAO, and any Associate Member of FAO, and any Member or Associate Member of any other specialized agency or the International Atomic Energy Agency (IAEA), that is not a member of the Board, whose programme, project or other activity is under review, or who has a particular interest in a programme, project or other activity, shall have the right to participate, without the right to vote, in the deliberations of the Board. 5. The Board shall hold an annual session and such regular sessions as it considers necessary and, in exceptional circumstances, may hold special sessions on request submitted in writing by at least one third of the members of the Board, or with the concurrence of one third of the members of the Board on the call of the Secretary-General of the United Nations (hereinafter "the Secretary-General") and the Director-General of FAO (hereinafter "the Director-General") or on the call of the Executive Director. 6. The Board shall ensure, in the programmes, projects and other activities under its supervision, that commercial markets and normal and developing trade are neither interfered with nor disrupted, that the agricultural economy in recipient countries is adequately safeguarded and that due consideration is given to safeguarding normal commercial practices in respect of acceptable services in accordance with the relevant decisions of the United Nations and FAO, and their subsidiary bodies.	

Proposed General Regulations	Proposed General Rules
ARTICLE VII: WFP SECRETARIAT: ORGANIZATION AND FUNCTIONS	**General Rule VII.1: Responsibilities of the Executive Director for programmes, projects and other activities**
1. The Secretariat of WFP shall be headed by an Executive Director, who shall be responsible and accountable to the Board for the administration of WFP and for the implementation of WFP programmes, projects and other activities.	The Executive Director shall be responsible for assuring that programmes, projects and other activities to be implemented are sound, carefully planned and directed towards valid objectives, for assuring the mobilization of the necessary technical and administrative skills, and for assessing the ability of recipient countries to carry out these programmes, projects and other activities. The Executive Director shall be responsible for assuring the supply of commodities and acceptable services as agreed. The Executive Director shall make arrangements for the evaluation of country programmes, projects and other activities. The Executive Director shall have the responsibility to seek, in consultation with recipient governments, correction of any inadequacies in the operation of programmes, projects and other activities, and may withdraw assistance in the event essential corrections are not made.
2. The Executive Director shall be appointed by the Secretary-General and the Director-General after consultation with the Board.	**General Rule VII.2: Reporting**
3. The Executive Director shall be appointed for a term of office of five years. The procedure set out in paragraph 2 above shall apply to reappointment which shall, in no case, be for more than one further term.	Each year the Executive Director shall submit to the Board for its consideration and approval an Annual Report and other reports as directed by the Board. These reports shall enable the Board to obtain a comprehensive view of the operational activities of WFP, its resource position, the results of programme and project evaluations, and progress in achieving targets and policies established by the Board. The Annual Report shall, *inter alia:*
4. The Executive Director shall be responsible for providing necessary services to the Board.	*(a)* include statistical and narrative information on: global food aid and issues affecting it; approved activities and their implementation; contributions, commitments and expenditures; and procurement; *(b)* identify the highlights of each year's activities and related policy issues and report on progress made in achieving strategic objectives and implementing overall policy guidance and specific policy directions.

Proposed General Regulations	Proposed General Rules
5. The Executive Director shall be responsible for the staffing and organization of the Secretariat. The selection and appointment of senior officials above the level of D2 shall be made by the Executive Director in agreement with the Secretary-General and the Director-General.	**General Rule VII.3: Staffing** In the appointment of staff, paramount importance shall be given to securing the highest standards of efficiency, competence and integrity. The Executive Director shall also give due consideration, in the professional and higher categories, to appropriate geographical distribution and to gender balance in accordance with policy guidance from the General Assembly of the United Nations and the FAO Conference.
6. The Executive Director shall administer the staff of WFP in accordance with FAO Staff Regulations and Rules and such special rules as may be established by the Executive Director in agreement with the Secretary-General and the Director-General.	
7. The Executive Director shall keep the cost of management and administration of WFP to a minimum consistent with the maintenance of efficiency and accountability and shall use the most efficient and cost-effective services, including in the field. In this context, and in the context of relevant resolutions of the United Nations and FAO, the Executive Director shall, under such arrangements as may be agreed upon: *(a)* make extensive use of the technical services of FAO, the United Nations and other agencies of the United Nations system where these offer the most efficient and cost-effective services; and *(b)* where appropriate, draw upon the administrative, financial, and other services of FAO, the United Nations and other agencies of the United Nations system.	**General Rule VII.4: Technical services** WFP will, consistent with General Regulation VII.7, use FAO's global information and early warning systems and technical project services.
8. The representative of WFP for each country where WFP has operational activities shall be designated by the Executive Director. In other countries, the Resident Representative of the United Nations Development Programme (UNDP), or the Regional Representative of UNDP, as the case may be, shall act as the representative of WFP at the request of the Executive Director and with the agreement of the Administrator of UNDP.	
9. Without prejudice to the authority of the Secretary-General and the Director-General, the Executive Director shall generally represent WFP and perform such functions as may be conferred on the Executive Director or on the Secretariat under any agreements concluded by the United Nations and FAO on behalf of WFP with States or intergovernmental organizations, and under the assistance agreements provided for in Article XI of these General Regulations.	
10. The Executive Director shall exercise such other responsibilities, as are conferred upon the Executive Director in these General Regulations or as may be conferred by the Board.	

Proposed General Regulations	Proposed General Rules
11. The Executive Director may delegate to other officials of WFP such authority as the Executive Director considers necessary for the effective carrying out of the responsibilities of the Executive Director.	
ARTICLE VIII: LEGAL STATUS AND CAPACITY	
1. WFP is an autonomous joint subsidiary programme of the United Nations and FAO.	
2. WFP shall, drawing on the legal personality of the United Nations and FAO, have legal capacity:	
(a) **to contract;**	
(b) **to acquire and dispose of movable and immovable property;**	
(c) **to be party to judicial proceedings.**	
3. Any liability arising from the exercise of the legal capacity referred to above shall be met by WFP from its own funds and shall not constitute a liability on other funds of the United Nations or FAO.	
ARTICLE IX: ELIGIBILITY FOR ASSISTANCE	**General Rule IX.1: Eligibility for assistance**
All States Members of the United Nations or Members or Associate Members of any specialized agency or of the IAEA shall be eligible to submit requests for consideration by WFP. WFP may also provide emergency food aid and associated non-food items and logistics support at the request of the Secretary-General. WFP assistance in such exceptional cases shall be fully coordinated with the United Nations system and efforts of governments, intergovernmental and nongovernmental organizations in the areas concerned.	WFP shall establish its annual programming of development resources in accordance with the criteria for receiving assistance, and the objectives, priorities and resource allocation decision set out in WFP's Mission Statement.
ARTICLE X: REQUESTS FOR ASSISTANCE	**General Rule X.1: Local assistance in project preparation**
1. Governments desiring assistance from WFP may request:	In preparing requests for assistance under Article X of the General Regulations, governments desiring assistance from WFP should draw to the extent possible and necessary, on national and other locally available expertise, including that of the United Nations, FAO, WFP and other United Nations organizations. Requests shall normally be presented through the WFP Representatives, who shall keep the United Nations Resident Coordinators and, as appropriate, the representatives of other United Nations agencies fully informed.
(a) **food aid programmes and projects to support economic and social development;**	
(b) **food assistance to meet emergency needs;**	
(c) **food assistance to meet protracted relief needs;**	

Proposed General Regulations	Proposed General Rules
(d) **technical assistance to help establish or improve their own food assistance programmes.** **2. Bilateral donors, United Nations agencies and non-governmental organizations may request WFP services for operations which are consistent with the purposes of WFP and which complement WFP's operations.** **3. Requests for assistance to country programmes or development projects shall indicate that they have a clear relationship with the recipient country's development plans and priorities and include, as appropriate, a significant input of the recipient government's resources. WFP should also be assured that all efforts will be made, as feasible and appropriate, to have the objectives of the programmes and projects pursued once the operations of WFP have been phased out.** **4. Requests for assistance or services shall be presented in the form indicated by the Executive Director and in accordance with general rules made pursuant to these General Regulations.**	**General Rule X.2: Country Programmes for development assistance** *(a)* Within the framework of the Strategic and Financial Plan, the Executive Director shall submit to the Board for review and approval multi-year country programmes to be undertaken by WFP that are integrated with the development plans and priorities of the recipient countries. *(b)* To facilitate the preparation of a Country Programme, WFP shall develop, in consultation with the government and with the collaboration of the United Nations, FAO and other relevant organizations a Country Strategy Outline (CSO). The CSO should establish clear linkages with the Country Strategy Note or with activities of the United Nations system as a whole, as appropriate, including wherever possible, joint programming. *(c)* The Executive Director shall seek the advice of the Board on Country Strategy Outlines and its approval for Country Programmes. *(d)* Approval by the Board of a Country Programme shall constitute a delegation to the Executive Director to approve projects and activities within that Country Programme as set out in the Appendix to these General Rules. **General Rule X.3: Provision of information by recipient countries** Recipient countries should, as far as feasible, provide the Executive Director with any relevant information on other aid programmes that would assist WFP in coordinating its activities with such other programmes. When this is not possible, the donor countries or organizations may supply the relevant information. **General Rule X.4: Additional external technical or financial assistance** The recipient country shall be responsible for obtaining and arranging any additional external technical or financial assistance as may be available from multilateral and other sources. Before accepting a programme or project which requires such additional assistance to make them feasible, the Executive Director shall obtain assurance that such assistance is available.

Proposed General Regulations	Proposed General Rules
	General Rule X.5: Requests for assistance Requests for assistance under Articles IX and X of the General Regulations should contain the basic information relating thereto. **General Rule X.6: Appraisal of requests** The Executive Director shall, upon receipt of requests, proceed to appraise them, and in doing so, seek to maximize the use of local and regional expertise and consult with and seek advice and cooperation from the United Nations, FAO and, as appropriate, other United Nations agencies and operating programmes, bilateral assistance programmes, and other relevant organizations according to their respective fields of competence. **General Rule X.7: Approval of requests** *(a)* Proposals for development projects and projects for protracted relief operations shall be presented by the Executive Director to the Board for approval, except that the Executive Director may decide upon requests for projects within the limits of the Executive Director's delegated authority. *(b)* Requests for emergency assistance shall be approved in accordance with General Regulation X.6. **General Rule X.8: Availability of resources**
5. In examining such requests and in formulating proposals thereon the Executive Director shall consult closely with the United Nations, FAO and other relevant agencies.	
6. Decisions on requests shall be made in accordance with the powers and functions of the Board, including any delegation of authority made by the Board to the Executive Director. Decisions on requests for assistance to meet emergency needs which exceed the level of authority delegated to the Executive Director shall be made jointly by the Executive Director and the Director-General.	The Executive Director shall ensure that development projects submitted to the Board for approval, and development projects and Country Programme activities approved under the Executive Director's delegated authority, can be implemented within estimated available resources. Resource availability shall take into account pledges and contributions expected for the current financial period, as well as resources which can reasonably be expected to be contributed during the two subsequent financial periods including resources which could be made available by the recipient government itself or by bilateral donors.

Proposed General Regulations	Proposed General Rules
ARTICLE XI: ASSISTANCE AGREEMENTS	
1. Upon approval by the Board or by the Executive Director on its behalf, of a request for a food aid programme or project, or for technical assistance to help a government establish or improve its own food assistance programme, an agreement shall be prepared by the Executive Director in consultation with the government concerned. All such agreements shall indicate the terms and conditions on which the proposed activities are to be carried out and the responsibilities of the government of the recipient country.	**General Rule XI.1: Matters to be included in food aid programme and project agreements** In addition to other terms and conditions upon which the proposed activities are to be carried out in connection with an approved programme or project, the agreements shall indicate aid to be provided by other agencies or institutions, the terms of delivery of commodities, the obligations of the government with respect to the utilization of the commodities supplied, including the use and control of any local currencies generated from their sale, and with respect to the arrangements made for their storage, internal transportation and distribution; the responsibility of the government for all expenses incurred from the point of delivery, including the cost of import duties, taxes, levies, dues and wharfage; and such other relevant terms and conditions as may be mutually agreed upon as necessary for the execution and subsequent evaluation of the programme or project. Such agreements shall safeguard WFP's right to monitor all phases of programme and project operations from the receipt of commodities in the country to final utilization; provide for audits as necessary; and allow WFP to suspend or withdraw assistance in case of serious non-compliance. They shall also provide for the collection of data on the food distribution and its effects on the improvement of the nutritional status of the beneficiaries and the economic and social development of the country on a longer-term basis; for the maintenance of complete records, including transport and storage documents, concerning the utilization of assistance from WFP; and for the communication of such records to WFP upon request.
2. Upon approval of a request for emergency or protracted relief food aid, an agreement, which may be in the form of an exchange of letters, may be concluded forthwith between the Executive Director and the government of the recipient country and/or intergovernmental or non-governmental bodies concerned.	**General Rule XI.2: Duration of agreements**
3. Upon approval of a request for services to bilateral donors, United Nations agencies and non-governmental organizations, the Executive Director may enter into an agreement with the government, or intergovernmental and/or non-governmental body concerned, specifying the services to be provided and the terms and conditions on which the proposed services are to be carried out.	Agreements may provide for programmes or projects under which assistance from WFP would be available for a maximum period of five years, provided that such agreements also carry the qualification that their full execution is conditional upon resources becoming available.
4. Assistance agreements shall be signed by the Executive Director, or the Executive Director's representative, on behalf of WFP.	

Proposed General Regulations	Proposed General Rules
ARTICLE XII: IMPLEMENTATION	**General Rule XII.1: Monitoring of operations by WFP personnel**
1. The primary responsibility for the execution of programmes, projects and activities shall rest with the recipient country, in accordance with the provisions of the relevant agreements and general rules made pursuant to these General Regulations. The Executive Director shall, however, be responsible for supervision and assistance in execution, and shall take the necessary measures for this purpose.	As agreements are carried into effect, recipient governments shall give full cooperation to enable authorized personnel of WFP to monitor operations, to ascertain their effects, and to carry out evaluations and other missions to assess the results and impact of the programmes and projects. Any final report that shall be submitted to the Board should be shared with the recipient countries concerned for their comments prior to submission.
	General Rule XII.2: Recipient government reporting
	The recipient government shall report as may be provided for in the agreement between the Executive Director and the government on the progress of distribution of WFP commodities and implementation of projects and programmes.
	General Rule XII.3: Borrowing of commodities
	To assure a prompt response to requests for emergency assistance, the Executive Director may, as appropriate, borrow commodities from other programmes or projects assisted by WFP in the country or in neighbouring countries, or from other sources such as cooperating non-governmental programmes. The Executive Director shall ensure that borrowed commodities are promptly replaced.
	General Rule XII.4: Responsibility for optimum use of resources
	The Executive Director shall be responsible for making the optimum use of available resources in commodities, cash and acceptable services. To this end the Executive Director may use unrestricted cash resources to purchase commodities, to the maximum extent possible from developing countries, and shall report such purchases to the Board.
2. Commodities shall be delivered, under criteria to be established by the Board, to the recipient country as grants without payment.	
3. Costs of unloading and internal transport, and of any necessary technical and administrative supervision, shall be borne by the government of the recipient country. However, this condition may be waived by the Executive Director in whole or in part, under criteria to be established by the Board, when providing food assistance to meet emergency and protracted relief needs and, in the case of least developed countries, food aid programmes and projects.	

Proposed General Regulations	Proposed General Rules
4. In the assessment of prospective economic and social development programmes and projects and in their execution, when approved, adequate consideration shall be given to safeguarding exporters, international trade and producers and safeguarding local food production and commercial markets in recipient countries. The Executive Director shall comply with such general rules as shall be established by the Board for these purposes. Such general rules shall ensure early consultation with countries likely to be affected, drawing on FAO's Principles of Surplus Disposal and shall also ensure that the Consultative Sub-Committee on Surplus Disposal of the FAO Committee on Commodity Problems is informed and its views taken into account.	**General Rule XII.5: Safeguarding commercial markets** *(a)* At an early stage in the preparation of a programme or project which may interfere with or disrupt commercial markets or normal and developing trade, the Executive Director shall consult with the countries likely to be affected; *(b)* The Executive Director shall also inform the Chairman of the Consultative Sub-Committee on Surplus Disposal of the FAO Committee on Commodity Problems of such preparation; *(c)* If questions concerning any proposed programme or project are raised before the Consultative Sub-Committee, its views should be promptly reported to the Executive Director, who shall take them into account before proceeding with the programme or project; *(d)* To facilitate the consideration of policies within the field of surplus disposal, the Executive Director shall make available to the Consultative Sub-Committee documents relevant to these subjects prepared by WFP.
ARTICLE XIII: CONTRIBUTIONS **1. All contributions to WFP shall be on a voluntary basis. Contributions may be donated by governments, intergovernmental bodies, other public and appropriate non-governmental, including private, sources.**	**General Rule XII.6: Safeguarding exporters, international trade, and producers in recipient countries** In the assessment of prospective economic and social development programmes and projects, and in their implementation and subsequent evaluation, full consideration shall be given to the prospective and actual effects of the programme or project upon local food production, including possible ways and means of increasing such production, and upon the markets for agricultural products produced in the country. **General Rule XIII.1: Contributions** Contributions may be: *(a)* pledged at conferences convened jointly by the Secretary-General and the Director-General and shall aim at such target as may from time to time be set by the General Assembly of the United Nations and the FAO Conference for such pledging periods by the aforementioned bodies; *(b)* announced during periodic resource consultations; *(c)* committed on an ad hoc basis by donor governments and bilateral institutions; *(d)* made in response to appeals;

Proposed General Regulations	Proposed General Rules
2. Donors may contribute appropriate commodities, cash and acceptable services in accordance with the general rules made pursuant to these General Regulations. Each donor shall provide cash contributions sufficient to cover the full operational and support costs of its contributions. Governments of developing countries may make commodity-only contributions, provided that the full operational and support costs are covered by another donor. In exceptional cases, these costs for the commodity-only contributions from IDA-eligible countries may be met from the WFP Fund.	*(e)* through other fund-raising activities, including in the private sector; and *(f)* made in any other manner as may be determined by the General Assembly of the United Nations and the FAO Conference. **General Rule XIII.2: Specification of contributions** Contributions for the purposes of WFP as set out in Article II of the General Regulations may be made without restriction as to use or for one or more of the following: *(a)* programme categories; *(b)* specific country programmes, projects or activities within programme categories; or *(c)* such other activities as the Board may decide from time to time. **General Rule XIII.3: Availability of International Emergency Food Reserve (IEFR) resources for emergency food aid** Countries participating in IEFR should indicate to WFP availabilities of primarily food grains or of cash contributions which might be called upon for emergency food aid purposes, in accordance with United Nations General Assembly resolution 3362 (S-VII). Developing countries not in a position to make contributions in cash or in kind to the IEFR should, where possible, indicate their willingness to make interest-free loans of cash or commodities to be used by WFP. **General Rule XIII.4: Types of contributions** In accordance with General Regulation XIII.2, the following shall apply to the various types of contributions to WFP: *(a)* Food commodities. Donors contributing food commodities shall provide sufficient cash, acceptable services, or acceptable non-food items to fully cover the operational and support costs related to their commodity contribution. *(b)* Designated cash. Donors contributing designated cash, such as cash in lieu of commodities (CLC), shall provide sufficient cash, acceptable services, or acceptable non-food items to fully cover the operational and support costs related to their cash contribution.

Proposed General Regulations	Proposed General Rules
	(c) Non-Food items. Donors contributing acceptable non-food items not directly associated with other contributions shall provide sufficient cash or acceptable services to fully cover the operational and support costs related to their contribution. *(d)* Acceptable services. Donors contributing acceptable services not directly associated with other contributions shall provide cash or other acceptable resources to fully cover the operational and support costs related to their contribution. *(e)* Untied cash. Donors providing cash contributions which are not designated in any way or designated to the Immediate Response Account (IRA) shall not be required to provide additional cash or services to fully cover the operational and support costs related to their cash contribution. **General Rule XIII.5: Consultations on commodities and services** Appropriate commodities and acceptable services shall be determined from time to time by discussions between recipients and the Executive Director on the basis of such criteria as may approved by the Board and in the light of operational needs taking into account the need to avoid unsustainable changes in consumption patterns in the recipient countries. Their availability shall be determined by discussions between contributors and the Executive Director. **General Rule XIII.6: Valuation of commodity pledges and services** In respect of quantity pledges or where a pledge made in monetary terms is subsequently translated into commodities, in whole or in part, these shall be recorded both at the time when commodities are pledged, as well as the time when commodities are received by WFP at a value based on the world market prices, at the Food Aid Convention (FAC) price or at the donor's invoice price as may be applicable. Contributions of acceptable services shall be valued either at world market prices, or, where the service is of a local character, at the price contracted for by the Executive Director. Contributions in personnel services shall be valued at WFP's standard cost.

Proposed General Regulations	Proposed General Rules
	General Rule XIII.7: Period for availability of pledges Pledged contributions of commodities and services shall be held available for commitment for the purposes of WFP until the end of the pledging period. Should unforeseen circumstances, such as domestic crop failure, arise, a contributor may, in consultation with the Executive Director, defer delivery of any part of the commodities pledged, or substitute other appropriate commodities therefor, provided that the commodities concerned have not yet been committed by WFP to recipient countries. After appropriate notice has been given, cash in convertible currencies of equal value to the portion of the commodity pledge withdrawn may be substituted therefor. The Executive Director shall keep contributors informed of contemplated and final commitments of commodities and services pledged by them. Pledged commodities which have been committed shall be held in the country of the contributor until called for by the Executive Director, and then delivered at the cost of the contributor, at export ports free on board or at the border of the country of the contributor. Any committed commodities remaining undelivered by the end of the period for which they have been pledged shall remain available for delivery for such extended period as may be agreed upon in consultation between the Executive Director and the contributor. Committed services shall be treated in the same manner. **General Rule XIII.8: Substitution of cash for services** In agreement with the Executive Director, cash in convertible currencies may be substituted for pledged services which have not been committed by WFP. **General Rule XIII.9: Currency of cash contributions** Cash contributions to WFP shall be made in convertible currencies. In exceptional circumstances, however, developing countries may, with the agreement of the Executive Director, make cash contributions in non-convertible currencies. **General Rule XIII.10: Time limits for provision of cash-only pledges at pledging conferences** The annual instalment of cash-only pledges shall be paid for each year of the pledging period to which it relates within 60 days after the beginning of the country's fiscal year. Countries which for domestic, legal and budgetary reasons are not in a position to meet this time limit may announce at the Pledging Conference the times at which they intend to make their cash contributions available to WFP.

Proposed General Regulations	Proposed General Rules
3. Commodity pledges may be made either in monetary terms or in terms of fixed physical quantities of specified commodities. **ARTICLE XIV: FINANCIAL ARRANGEMENTS** 1. All contributions to WFP mentioned in Article XIII of these General Regulations shall be credited to the World Food Programme Fund (hereinafter referred to as "the WFP Fund"), from which the cost of administration and operation of WFP shall be met. The WFP Fund, and any sub-funds or accounts that may be established, shall be administered in accordance with the Financial Regulations of WFP. 2. The Board shall exercise full intergovernmental supervision and scrutiny of all aspects of the WFP Fund. 3. The Executive Director shall have complete responsibility and shall be accountable to the Board for the operation and administration of the WFP Fund. 4. In all matters relating to the financial administration of WFP, the Board shall draw on the advice of the United Nations Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Finance Committee of FAO. 5. The Board shall, after receiving advice from the ACABQ and the FAO Finance Committee, establish Financial Regulations to govern the management of the WFP Fund. 6. The Executive Director will submit the following to the Executive Board for approval: *(a)* the biennial WFP budget, and supplementary WFP budgets whenever appropriate prepared in exceptional circumstances; *(b)* biennial financial statements of WFP, together with the report of the External Auditor; *(c)* other financial reports.	**General Rule XIII.11: Time limits for provision of other cash-only contributions** Cash pledges announced during the periodic resource consultations or on an ad hoc basis or in response to appeals shall be paid not later than 60 days after the announcement. Countries which for domestic, legal and budgetary reasons are not in a position to meet this time limit may announce the times at which they intend to make their cash contributions available to WFP.

Proposed General Regulations	Proposed General Rules
These will also be submitted to the FAO Finance Committee and the ACABQ for their review and comments. The reports of these bodies will be submitted to the Board.	
ARTICLE XV: AMENDMENTS TO THE GENERAL REGULATIONS	**General Rule XV.1: Amendments to the General Rules**
1. Amendments to these General Regulations shall be approved by the General Assembly of the United Nations and the FAO Conference.	Amendments to these General Rules shall be approved by the Board and submitted for information to the Economic and Social Council and the Council of FAO.
2. The Board may recommend amendments to these General Regulations through the Economic and Social Council and the Council of FAO.	

APPENDIX A TO THE GENERAL REGULATIONS

UNITED NATIONS/FAO MEMBER STATES LISTINGS FOR ELECTIONS FOR THE WFP EXECUTIVE BOARD

1. DEVELOPING COUNTRIES

States:

List A

States:

List B

States:

Group I

States:

Group II

States:

List C

States:

2. ECONOMICALLY DEVELOPED COUNTRIES

States:

List D

States:

List E

States

[1] In the event of a change in the membership of the United Nations or the FAO, the appropriate change will be made by the Secretariats of the United Nations and FAO respectively after the necessary consultations with Member States.

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APPENDIX B TO THE GENERAL REGULATIONS

The distribution of seats of the Executive Board shall be as follows:[1]

(i) Nine members from the States included in list A, five members to be elected by the Economic and Social Council and four by the Council of FAO;

(ii) Seven members from the States included in list B, four members to be elected by the Economic and Social Council and three by the Council of FAO;

(iii) Five members from the States included in list C, two members to be elected by the Economic and Social Council and three by the Council of FAO;

(iv) Twelve members from the States included in list D, six members to be elected by the Economic and Social Council and six by the Council of FAO;

(v) Two members from the States included in list E, one member to be elected by the Economic and Social Council and one by the Council of FAO;

(vi) One additional member alternating between the States included in lists B and C, starting with list C, to be elected by the Council of FAO.

[1] By its resolution 50/8 of 1 November 1995, the General Assembly recorded the understanding that this distribution of seats created no precedent for the composition of other United Nations bodies of a limited membership and that it should be reviewed within two years after the establishment of the Executive Board with a view to achieving its final outcome in accordance with paragraphs 25 and 30 and other relevant provisions of General Assembly resolution 48/162; the review being conducted in parallel by the Assembly and the Conference of the Food and Agriculture Organization of the United Nations, taking into account the relevant inputs of the Economic and Social Council and the Council of the Food and Agriculture Organization of the United Nations; and the results entering into force on 1 January 2000. In the event of a change in this distribution by the General Assembly and the FAO Conference the necessary changes will be made in this appendix by the WFP Secretariat.

APPENDIX (Delegation of Authority)

The following is the authority delegated to the Executive Director by the Board in accordance with Regulation VI.2 (c):

(a) Development projects

Approval of projects that are in line with an approved Country Programme, as well as the reallocation of resources among programme activities, up to a maximum of 10 percent of their cost estimates, subject to the availability of resources.

Approval of projects for which the food value does not exceed three million United States dollars, excepting the following which shall be referred to the Executive Board:

(i) complex projects or those requiring the coordination of a large number of agencies;

(ii) projects involving innovative approaches, or embracing controversial steps;

(iii) projects for which two or more expansions have already been approved;

(iv) projects that include a large proportion (greater than 50 percent) of open market commodity monetization (not including sales of WFP commodities for the purpose of purchasing food products for direct distribution, a modality regarded as commodity exchange and not considered as monetization by the CFA in its discussion at the Twenty-fourth Session in October 1987).

(b) Emergency operations

All emergency operations whose food value does not exceed three million United States dollars. Above that level, approval will be afforded jointly between the Executive Director and the Director-General.

(c) Protracted relief operations

Approval of protracted relief operations whose food value does not exceed three million United States dollars.

(d) Project budget revisions

(i) Approval of budget revisions for a food value of up to three million United States dollars or 10 percent of the food value prevailing at the time of the increase, whichever is less;

	APPENDIX (Delegation of Authority)
	(ii) Approval of budget revisions of more than 10 percent of the food value in cases where the total revised food value is less than three million United States dollars. *(iii)* The total of such increases for any country in any calendar year may not exceed twice the authority delegated to the Executive Director for project approval.